

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RESPONSE TO OFFICE ACTION DATED:

March 31, 2004

Atty. Docket No.
UBAT1190-1

Applicant(s)
David B. Geohegan et al.

Application Number
09/997,600

Date Filed
Nov. 28, 2001

For
CONDENSED PHASE CONVERSION AND
GROWTH OF NANORODS AND OTHER
MATERIALS

Group Art Unit
1771

Examiner
Cole Elizabeth M.

Confirmation Number:
5233

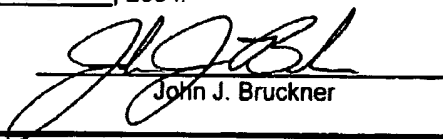
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Certificate of Express Mailing Under 37 C.F.R. 1.10

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ER 504820129 US addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on July 30, 2004.


John J. Bruckner

This is in response to the Office Action dated March 31, 2004. In response to the Office Action, Applicants respectfully request that the Examiner reconsider this application in view of

the following amendments and remarks set forth below. Please amend the Application as follows.

The applicant filed an information disclosure statement (IDS) in the present application on September 26, 2002. The Applicant notes that (although the attachment 3 checkbox indicates that at least on PTO-1449 is of record), the Office Action was not accompanied by a copy of the listing of references (form PTO-1449) submitted with this IDS, initialed by the Examiner to indicate that the references cited therein were considered. The Applicant therefore requests that the Examiner consider the references cited in this IDS and forward a copy of the initialed PTO-1449 to the Applicant.

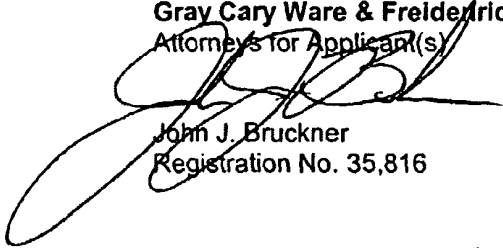
Other than as explicitly set forth above, this reply does not include acquiescence to statements by the Examiner. In view of the above, all the claims are considered patentable and allowance of all the claims is respectfully requested. The Examiner is invited to telephone the undersigned (at direct line 512-457-7233) for prompt action in the event any issues remain.

No fee is due for filing this Reply because it is being filed within the shortened statutory period for response as set in the Office Action dated October 3, 2003.

The Commissioner is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 50-0456 of Gray Cary Ware & Freidenrich, LLP.

Respectfully submitted,

Gray Cary Ware & Freidenrich LLP
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Dated: December 29, 2003

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